

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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Karen L. Ruthig  
Karen L. Ruthig, Reg. No. 54,415



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TECHNOLOGY CENTER R3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/032,940  
Applicant : Matt Chludzinski et al.  
Filed : December 26, 2001  
Title: EXPANDED UHMWPE FOR GUIDING CATHETER LINERS  
AND OTHER LUBRICIOUS COATINGS  
Art Unit : 3732  
Examiner : P. Philogene  
Docket No.: : ACS-58425 (3174P)  
Customer No. : 24201

TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION (37 C.F.R. § 1.321(c))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Dear Sir:

The owner, Advanced Cardiovascular Systems, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,344,045 issued to Lim et al. on February 5, 2002. The owner hereby agrees that

any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included.

The undersigned is an attorney of record.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: Paul Y. Feng  
Paul Y. Feng  
Registration No. 35,510

PYF:KLR  
Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, CA 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24201  
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